

IN THE CLAIMS

1. (currently amended) A resiliently expandable cautionary structure, comprising:

a structure, having an inherent spiral configuration formed of a band of resilient material;

a base member, having a span of at least the largest diameter of said structure, and joining said structure at one or more points;

a cross brace, having a span of at least the narrowest diameter of said structure, joining said structure at two or more points, and located opposite said base member, said cross brace securing temporarily to said base member;

a fastening means strap having sufficient length to span at least the diameter of said structure when collapsed, a width narrower than the width of said base member, and a fixed one end joining contacting to said cross brace and the opposite end free, co-operating hook and pile fasteners with one segment of said hook and pile located at the fixed end of said strap and a second segment of said hook and pile located at the free end of said strap, whereby said strap extends from said cross brace, wraps the diameter of said structure when contracted, returns to said cross brace, and said second segment secures to said first segment;

an illuminating means, integral to said band and regularly arrayed at least partially along some length of said band and is one of light emitting diodes or fiber optic glowing devices; and,

a battery pack connecting to said illuminating means, locating upon said base member, and providing energy for said illuminating means.

2. (currently amended) The structure of claim 1 wherein said structure has one of a generally conical shape with the largest diameter of the conical shape upon said base member or a generally cylindrical shape with said base

member and said cross brace each spanning at least the diameter of said structure.

- 3-4. (canceled)
5. (currently amended) The structure of claim 1 ~~claim 4~~ wherein said strap is selected from the group consisting of leather, metal, polymer, rubber, rope, and elastic.
- 6-9. (canceled)
10. (original) The structure of claim 1 wherein said structure is formed of polymer material.
11. (currently amended) A resiliently expandable cautionary structure, comprising:
 - a structure, having an inherent spiral configuration formed of a band of resilient material;
 - a base member, having a span of at least the largest diameter of said structure and a generally centered fitting, and joining said structure at one or more points;
 - a button, having a span of at least the narrowest diameter of said structure, able to be rotated about the vertical axis of said structure, and located atop within said structure and opposite said base member, said button securing temporarily to said base member;
said fitting and said button cooperating by one of said fitting having a generally cylindrical shape and internal threading that engages with external threading of said button, or said fitting engaging said button as a bayonet lock;
 - an illuminating means, integral to said band and regularly arrayed along at least some length of said band and is one of light emitting diodes or fiber optic glowing devices; and,
a battery pack communicating with said illuminating means, locating upon said base member, and providing energy for said illuminating means;

whereby said button cooperates with said fitting to releasably secure said structure in a contracted position.

12. (currently amended) The structure of claim 11 wherein said structure is one of ~~has~~ a generally conical shape with the largest diameter of the conical shape proximate to said base member and said button is located in the apex of the conical shape, or a generally cylindrical shape having external threading that cooperates with internal threading of said button.

13-19. (canceled)